



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Robin ROBINSON et al.

Confirmation No.: 5752

Application No.: 10/617,569

Group Art Unit: 1648

Filed: July 11, 2003

Examiner: Myron G. Hill

For: FUNCTIONAL INFLUENZA VIRUS-LIKE PARTICLES (VLPs)

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**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §1.97(b)**

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56, Applicant(s) hereby submits the following information in conformance with 37 C.F.R. §§1.97 and 1.98.

- ☒ Pursuant to 37 C.F.R. §1.98, a copy of each non-US patent document cited in the attached Form PTO/SB/08 is enclosed.
- ☐ No copies of the publications, with the exception of the publication listed as cite no. \_\_\_, a copy of which is attached, listed on the attached Form PTO/SB/08 are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. \_\_\_\_\_ to which the above-identified application claims priority under 35 U.S.C. §120.
- ☐ No copies of any U.S. patents or U.S. patent application publications listed on the attached Form PTO/SB/08 are being provided pursuant to 37 C.F.R. §1.98.
- ☐ Publication(s) \_\_\_ listed on the attached Form PTO/SB/08 were cited in a foreign search or examination report corresponding to \_\_\_ application serial no. \_\_\_ and mailed on \_\_\_.
- ☐ Enclosed is a copy of a non-English publication(s) \_\_\_. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).

- ☐ Enclosed is a copy of a non-English publication(s) \_\_\_\_\_. English language publication \_\_\_\_\_ (copy enclosed) claims priority from this non-English publication.
- ☐ Enclosed is an explanation of non-English publication(s) \_\_\_\_ for which an English translation is not available.
- ☐ Enclosed is an English translation of non-English publication(s) \_\_\_\_\_ cited in the attached Form PTO/SB/08.
- ☐ Enclosed is a copy of pending patent Application Serial No. \_\_\_\_\_.

This Information Disclosure Statement is filed after the period specified in 37 C.F.R. § 1.97(b), but before the mailing of:

- ☒ a final action under 37 C.F.R. §1.113;
- ☐ a notice of allowance under 37 C.F.R. §1.311; or
- ☐ an action that otherwise closes prosecution in this application.

In accordance with 37 C.F.R. §1.97(c) also enclosed is:

- ☒ Fee under 37 C.F.R. §1.17(p) in the amount of \$180.00; or
- ☐ Statement as specified in 37 C.F.R. §1.97(e):

☐ Each item of information contained in the Information Disclosure Statement cited herein was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or

☐ No item of information contained in the Information Disclosure Statement submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, having made a reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing date of the Information Disclosure Statement.

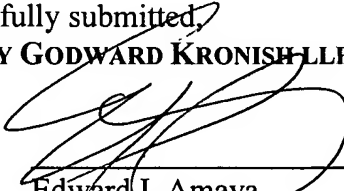
It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08 to the undersigned.

Dated: 10/18/00

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Respectfully submitted,  
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By: \_\_\_\_\_

  
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PTO/SB/08A (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		Application Number	10/617,569
		Filing Date	July 11, 2003
		First Named Inventor	Robin ROBINSON et al.
		Group Art Unit	1648
		Examiner Name	Myron G. Hill
Sheet 1 of 1	Attorney Docket Number	NOVV-003/00US	

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>2</sup>
OTHER - NON PATENT LITERATURE DOCUMENTS						
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	1.	Avalos, Roy, <i>et al.</i> , "Association of Influenza Virus NP and M1 Proteins with Cellular Cytoskeletal Elements in Influenza Virus-Infected Cells," <i>Journal of Virology</i> , Apr. 1997, Vol. 71, pp. 2947-2958				
	2.	Bucher, D., <i>et al.</i> , "M Protein (M1) of Influenza Virus: Antigenic Analysis and Intracellular Localization with Monoclonal Antibodies," <i>Journal of Virology</i> , Sept. 1989, Vol. 63, pp. 3622-3633				
	3.	Chen, Ze, <i>et al.</i> , "Comparison of the ability of viral protein-expressing plasmid DNAs to protect against influenza," <i>Vaccine</i> , 1998, Vol. 16, 1544-1549.				
	4.	Chen, Ze, <i>et al.</i> , "Enhanced protection against a lethal influenza virus challenge by immunization with both hemagglutinin- and neuraminidase- expressing DNAs," <i>Vaccine</i> , 1999, Vol. 17, 653-659.				
	5.	Enami, Masayoshi and Enami, Kazue, "Influenza Virus Hemagglutinin and Neuraminidase Glycoproteins Stimulate the Membrane Association of the Matrix Protein," <i>Journal of Virology</i> , Oct. 1996, Vol. 70, pp. 6653-6657				
	6.	Huylebroeck, Danny, <i>et al.</i> , "High-level transient expression of influenza virus proteins from a series of SV40 late and early replacement vectors," <i>Gene</i> , 1988, Vol. 66, pp. 163-181				
	7.	Kretzschmar, Evelyne, <i>et al.</i> , "Membrane Association of Influenza Virus Matrix Protein Does Not Require Specific Hydrophobic Domains or the Viral Glycoproteins," <i>Virology</i> , 1996, Vol. 220, pp. 37-45				
	8.	Zhang, Jie and Lamb, Robert, "Characterization of the Membrane Association of the Influenza Virus Matrix Protein in Living Cells," <i>Virology</i> , Vol. 225, pp. 225-266				
Examiner Signature				Date Considered		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Unique citation designation number (optional). <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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